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ECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

| My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole |
|---|
| inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject |
| matter which is claimed and for which a patent is sought on the invention entitled: INDUCING CELLULAR IMMUNE |
| RESPONSES TO HEPATITIS B VIRUS USING PEPTIDE AND NUCLEIC ACID COMPOSITIONS the specification of |
| which is attached hereto or X was filed on 7/8/99 as Application No. 09/350,401 and was amended on |
| (if applicable). |

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

| Country | Application No. | Date of Filing | Priority Claimed Under 35 USC 119 |
|---------|-----------------|----------------|--------------------------------------|
| | | | |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| Application No. | Filing Date |
|-----------------|-------------|
| | |

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| | tion No. Date of Filing |
|---------|-------------------------|
| ending | 9,702 11/10/98 |
| ending | 5,713 3/4/94 |
| andoned | 9,184 11/29/93 |
| andoned | 3,205 6/4/93 |
| andoned | 7,146 3/5/93 |
| | · |

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Hector A. Alicea, Reg. No. 40,891 Randolph T. Apple, Reg. No. 36,429 Kevin L. Bastian, Reg. No. 34,774 Guy Chambers, Reg. No. 30,617 Karen B. Dow, Reg. No. 29,684 Gregory P. Einhom, Reg. No. 38,440 M. Henry Heines, Reg. No. 28,219 Laurence J. Hyman, Reg. No. 35,551 Jeffrey J. King, Reg. No. 38,515 Joe Liebeschuetz, Reg. No. 37,505
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Annette S. Parent, Reg. No. 42,058
Steven W. Parmelee, Reg. No. 31,990
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Joseph P. Snyder, Reg. No. 39,381
John R. Storella, Reg. No. 32,944
Eugenia Garrett-Wackowski, Reg. No. 37,330
Ellen Lauver Weber, Reg. No. 31,667
P. Ben Wang, Reg. No. 41,420
Kathleen Choi, Reg. No. 43,433
Jean M. Lockyer, Reg. No. P-44,879

Epimmune Inc. Timothy J. Lithgow, M.D., J.D. Reg. No, 36,856

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(Name, Reg. No., Telephone No.)

Name:

Jean M. Lockyer

Reg. No.:

P-44,879

Telephone: 415-576-0200

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| Inventor 3: | SOUTHWOOD | SCOTT | | | |
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| Full Name of | Last Name: | First Name: | Middle Name or I | Middle Name or Initial: | |
| Inventor 4: | VITIELLO | MARIA | A. | | |
| Residence & | City: | State/Foreign Country: | Country of Citizenship: | | |
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| Full Name of Inventor 5: | Last Name: LIVINGSTON | First Name: BRIAN | Middle Name or Initial: D. | |
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| Residence & Citizenship: | City: San Diego | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 13555 Chaco Court | City: San Diego | State/Country: California | Postal Code: 92129 |
| Full Name of Inventor 6: | Last Name: CELIS | First Name: ESTEBAN | Middle Name or Initial: | |
| Residence & Citizenship: | City: Rochester | State/Foreign Country: Minnesota | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 3683 Wright Road S.W. | City: Rochester | State/Country: Minnesota | Postal Code: 55902 |
| Full Name of Inventor 7: | Last Name: KUBO | First Name: RALPH | Middle Name or Initial: | |
| Residence & Citizenship: | City: Carlsbad | State/Foreign Country: California | Country of Citizenship: United States | |
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| Full Name of Inventor 8: | Last Name: GREY | First Name: HOWARD | Middle Name or I | nitial: |
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| Post Office Address: | Post Office Address: 9066 La Jolla Street | City: La Jolla | State/Country: California | Postal Code: 92037 |
| Full Name of Inventor 9: | Last Name: CHESNUT | First Name: ROBERT | Middle Name or Initial: | |
| Residence & Citizenship: | City: Cardiff-by-the-Sea | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 1473 Kings Cross Drive | City: Cardiff-by-the-Sea | State/Country: California | Postal Code: 92007 |

| Signature of Inventor 1 ALESSANDRO SETTE | Signature of Inventor 2 JOHN SIDNEY | Signature of Inventor 3 SCOTT SOUTHWOOD |
|---|--------------------------------------|---|
| Signature of Inventor 4 | Date 8/26/99 Signature of Inventor 5 | Date \$\frac{\psi}{\psi}\frac{\fint}}{\fint}}}}}}}{\frac}}}}}}}{\frac{\frac{\frac{\frac{\frac{\frac{\frac{\frac}{\frac{\frac{\frac{\frac{\frac{\frac{\frac{\frac{\frac{\frac{\frac{\fir\f{\frac{\fin}}}}}}{\frac{\frac{\frac{\frac{\frac{\frac{\frac{\frac{\f |
| | Donaton | |
| MARIA A. VITIELLO | BRIAN D. LIVINGSTON | ESTEBAN CELIS |
| Date | Date 8/26/57 | Date |

| Signature of Inventor 7 | Signature of Inventor 8 | Signature of Inventor 9 |
|-------------------------|-------------------------|-------------------------|
| | | Robert a Chesnut |
| RALPH T. KUBO | HOWARD M. GREY | ROBERT W. CHESNUT |
| Date | Date | Date 8-26-95 |

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| 08/205,713 | 3/4/94 | Pending |
| 08/159,184 | 11/29/93 | Abandoned |
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| 08/027,146 | 3/5/93 | Abandoned |

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Epimmune Inc. Timothy J. Lithgow, M.D., J.D. Reg. No. 36,856

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(Name. Reg. No., Telephone No.) Name:

Reg. No.:

Jean M. Lockyer

P-44,879

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| Full Name of Inventor 3: | Last Name; SOUTHWOOD | First Name: SCOTT | Middle Name or Initial: | | |
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| Full Name of | Last Name: | First Name: | Middle Name or Initial; | | |
| Inventor 4: | VITIELLO | MARIA | | | |
| Residence & | City: | State/Foreign Country: | Country of Citizenship: | | |
| Citizenship: | La Jolla | California | Italy | | |
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| Address: | 13555 Chaco Court | San Diego | | |
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| Post Office | Post Office Address: | City: | State/Country: Minnesota | Postal Code: |
| Address: | 3683 Wright Road S.W. | Rochester | | 55902 |
| Full Name of | Last Name: | First Name: | Middle Name or Initial: | |
| Inventor 7: | KUBO | RALPH | | |
| Residence & Citizenship: | City: | State/Foreign Country: | Country of Citizenship: | |
| | Carlsbad | California | United States | |
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| Address: | 6921 Pear Tree Drive | Carlsbad | California | |
| Full Name of Inventor 8: | Last Name; GREY | First Name: HOWARD | Middle Nume or L | |
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| Address: | 9066 La Jolla Street | La Jolla | California | 92037 |
| Full Name of Inventor 9: | Last Name: CHESNUT | First Name; ROBERT | Middle Name or Initial: | |
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| Citizenship: | Cardiff-by-the-Sea | California | | |
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| Signature of Inventor 1 | Signature of Inventor 2 | Signature of Inventor 3 |
|-------------------------|-------------------------|-------------------------|
| ALESSANDRO SETTE | JOHN SIDNEY | SCOTT SOUTHWOOD |
| Date | Date | Date |
| Signature of Inventor 4 | Signature of Inventor 5 | Signature of Inventor 6 |
| MARIA A. VITIELLO | BRIAN D. LIVINGSTON | ESTEBAN CELIS |
| Date 11/04/99 | Date | Date |

| Signature of inventor 7 | Signature of Inventor 8 | Signature of Inventor 9 |
|-------------------------|-------------------------|-------------------------|
| RALPH T. KUBO | HOWARD M. GREY | ROBERT W. CHESNUT |
| Date | Date | Date |



DECLARATION AND POWER OF ATTORNEY

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| Full Name of | Last Name: | First Name: | Middle Name or l | nitial: | |
| Inventor 4: | VITIELLO | MARIA | A. Country of Citizenship: | | |
| Residence & | City: | State/Foreign Country: | | | |
| Citizenship: | La Jolla | California | Italy | | |
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| Full Name of Inventor 7: | Last Name: KUBO | First Name: RALPH | Middle Name or Initial: | |
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| Full Name of Inventor 8: | Last Name: GREY | First Name: HOWARD | Middle Name or I | nitial: |
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| MARIA A. VITIELLO | BRIAN D. LIVINGSTON | ESTEBAN CELIS |
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| RALPH T. KUBO | HOWARD M. GREY | ROBERT W. CHESNUT |
| Date | Date | Date |



DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

| inventor (if on matter which RESPONSES | ly one name is listed be is claimed and for w TO HEPATITIS B | d citizenship are as stated be slow) or an original, first and which a patent is sought on VIRUS USING PEPTIDE A was filed on 7/8/ | joint inventor (if plural the invention entitled AND NUCLEIC ACID | inventors are named be : INDUCING CELL COMPOSITIONS t | elow) of the subject ULAR IMMUNE the specification of |
|--|--|---|---|--|---|
| amendment red Code of Feder foreign applica or inventor's c | ferred to above. I acknow al Regulations, Section ation(s) for patent or inv | e contents of the above identification of the above identificate in 1.56. I claim foreign priority centor's certificate listed below a date before that of the application. | nformation which is mat y benefits under Title 33 v and have also identifie | erial to patentability as 5, United States Code, ed below any foreign ap | defined in Title 37, Section 119 of any |
| Titol Foleign | Country | Application No. | Date of Filing | Priority Claimed U 35 USC 119 | nder |
| | · | | | | |
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| 08/027,146 | 3/5/93 | Abandoned |

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Hector A. Alicea, Reg. No. 40,891 Randolph T. Apple, Reg. No. 36,429 Kevin L. Bastian, Reg. No. 34,774 Guy Chambers, Reg. No. 30,617 Karen B. Dow, Reg. No. 29,684 Gregory P. Einhorn, Reg. No. 38,440 M. Henry Heines, Reg. No. 28,219 Laurence J. Hyman, Reg. No. 35,551 Jeffrey J. King, Reg. No. 38,515 Joe Liebeschuetz, Reg. No. 37,505 Jeffry S. Mann, Reg. No. 42,837 Annette S. Parent, Reg. No. 42,058 Steven W. Parmelee, Reg. No. 31,990 Brian W. Poor, Reg. No. 32,928 Margaret A. Powers, Reg. No. 39,804 Timothy L. Smith, Reg. No. 35,367 William M. Smith, Reg. No. 30,223 Joseph P. Snyder, Reg. No. 39,381 John R. Storella, Reg. No. 32,944 Eugenia Garrett-Wackowski, Reg. No. 37,330 Ellen Lauver Weber, Reg. No. 32,762 Kenneth A. Weber, Reg. No. 31,667 P. Ben Wang, Reg. No. 41,420 Kathleen Choi, Reg. No. 43,433 Jean M. Lockyer, Reg. No. P-44,879

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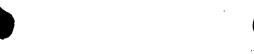
415-576-0200

| Full Name of Inventor 1: | Last Name: SETTE | First Name: ALESSANDRO | Middle Name or I | nitial: |
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| Full Name of Inventor 8: | Last Name: GREY | First Name: HOWARD | Middle Name or I M. | nitial: |
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| Signature of Inventor 1 | Signature of Inventor 2 | Signature of Inventor 3 |
|-------------------------|-------------------------|-------------------------|
| | | ¥- |
| ALESSANDRO SETTE | JOHN SIDNEY | SCOTT SOUTHWOOD |
| Date | Date | Date |
| Signature of Inventor 4 | Signature of Inventor 5 | Signature of Inventor 6 |
| MARIA A. VITIELLO | BRIAN D. LIVINGSTON | ESTEBAN CELIS |
| Date | Date | Date |

| Signature of Inventor 7 | Signature of Inventor 8 | Signature of Inventor 9 |
|-------------------------|-------------------------|-------------------------|
| Hapit, Kelor | | |
| RALPH T. KUBO | HOWARD M. GREY | ROBERT W. CHESNUT |
| Date 08/26/99 | Date | Date |





DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

| inventor (if on matter which RESPONSES | ly one name is listed be is claimed and for w TO HEPATITIS B | d citizenship are as stated b low) or an original, first and hich a patent is sought or VIRUS USING PEPTIDE X was filed on 7/8 | l joint inventor (if plural in the invention entitled AND NUCLEIC ACID | inventors are named below in INDUCING CELLU COMPOSITIONS the | ow) of the subject LAR IMMUNE specification of |
|---|---|--|--|--|--|
| amendment re Code of Feder foreign applica or inventor's c | ferred to above. I acknoral Regulations, Section ation(s) for patent or inv | contents of the above identification of the contents of the above identificate listed below the content of the applied that of the applied to | information which is mate ty benefits under Title 35 w and have also identifie | erial to patentability as do f, United States Code, So d below any foreign app | efined in Title 37, ection 119 of any |
| ritor roreign | Country | Application No. | Date of Filing | Priority Claimed Uno 35 USC 119 | ler |
| I hereby claim | | 35, United States Code § 119 pplication No. | (e) of any United States p Filing D | | listed below: |
| I claim the bei | nefit under Title 35, Uni | ted States Code, Section 120 | of any United States app | lication(s) listed below a | and, insofar as the |

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application No. | Date of Filing | Status |
|-----------------|----------------|-----------|
| 09/189,702 | 11/10/98 | Pending |
| 08/205,713 | 3/4/94 | Pending |
| 08/159,184 | 11/29/93 | Abandoned |
| 08/073,205 | 6/4/93 | Abandoned |
| 08/027,146 | 3/5/93 | Abandoned |

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| Full Name of Inventor 8: | Last Name: GREY | First Name: HOWARD | Middle Name or Initial: M. | |
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| Residence & Citizenship: | City: Cardiff-by-the-Sea | State/Foreign Country: California | Country of Citizer United States | nship: |
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| Signature of Inventor 1 | Signature of Inventor 2 | Signature of Inventor 3 |
|-------------------------|-------------------------|-------------------------|
| ALESSANDRO SETTE | JOHN SIDNEY | SCOTT SOUTHWOOD |
| Date | Date | Date |
| Signature of Inventor 4 | Signature of Inventor 5 | Signature of Inventor 6 |
| MARIA A. VITIELLO | BRIAN D. LIVINGSTON | ESTEBAN CELIS |
| Date | Date | Date |

| Signature of Inventor 7 | Signature of Inventor 8 | Signature of Inventor 9 |
|-------------------------|-------------------------|-------------------------|
| - | Jowas Kra | |
| RALPH T. KUBO | HOWARD M. GREY | ROBERT W. CHESNUT |
| Date | Date 8/27/99 | Date |





3

Atty. Docket No. 18623-013910US Client ref. EPI 0139.10 US

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) & 1.27(c)) - SMALL BUSINESS CONCERN

| Applicant or Patentee: Alegander Company |
|--|
| Applicant or Patentee: Alessandro Sette, John Sidney, Scott Southwood, Maria A. Vitiello, Brian D. Livingston, Esteban Celis, Application of Patentee: Alessandro Sette, John Sidney, Scott Southwood, Maria A. Vitiello, Brian D. Livingston, Esteban Celis, Application of Patentee: Alessandro Sette, John Sidney, Scott Southwood, Maria A. Vitiello, Brian D. Livingston, Esteban Celis, Application of Patentee: Alessandro Sette, John Sidney, Scott Southwood, Maria A. Vitiello, Brian D. Livingston, Esteban Celis, Application of Patentee: Alessandro Sette, John Sidney, Scott Southwood, Maria A. Vitiello, Brian D. Livingston, Esteban Celis, Application of Patentee: Alessandro Sette, John Sidney, Scott Southwood, Maria A. Vitiello, Brian D. Livingston, Esteban Celis, Application of Patentee: Alessandro Sette, John Sidney, Scott Southwood, Maria A. Vitiello, Brian D. Livingston, Esteban Celis, Application of Patentee (Patentee) (Paten |
| Ralph T. Kubo, Howard M. Grey and Robert W. Chesnut, Application or Patent No.: 09/350,401 |
| FIRED OF ISSUED: July 8 1000 |
| Title: INDUCING CELLUL AR IN COLDUS PEGNO 1999 |
| Title: INDUCING CELLULAR IMMUNE RESPONSES TO HEPATITIS B VIRUS USING PEPTIDE AND NUCLEIC ACID COMPOSITIONS |
| I hereby declare that I am: |
| |
| the owner of the small business concern identified below: an official of the small business concern empowered to act on behalf of the concern identified below: |
| Name of Small Business Concern: Epimmune Inc. Address of Small Business Concern: 5820 Nancy Ridge Drive |
| San Diego, CA 92121 |
| I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year of the concern of the persons of each other when either, directly or indirectly, one concern controls or has the power to control both. |
| I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled INDUCLEIC ACID COMPOSITIONS by inventor(s) Alessandro Sette , John Sidney, Scott Southwood, Maria A. Viticilo, Brian D. Livingston, Esteban Celis, Ralph T. Kubo, Howard M, Grey and Robert W. Chesnut described in: |
| the specification filed herowith. Application No. 09/350,401, filed July 8, 1999 Patent No, issued |
| If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(c). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averting to their status as small entities. (37 CFR 1.27) |
| Name Address |
| |
| ☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization |
| Name Address |
| |
| ☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization |
| I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the carliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)). |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified |
| Name of Person Signing: Timothy J. Lithgow Title of Person if Other than Owner: Director, Intellectual Property Address of Person Signing: Epimmune Inc. 5820 Nancy Ridge Drive, San Diego, CA 92121 |
| Signature 22 A A A Signature |
| SF 1042904 v1 Date |